

REMARKS

Claims 1-17 are pending in the instant application. Claims 1-17 have been rejected by the Examiner. Claims 1 and 3 - 17 have been amended. New claims 18-20 have been added by this amendment. The Applicant submits that claims 1- 20 are in condition for allowance and respectfully requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Claim Objection

Claim 7 has been objected to because of the following informality noted by the Examiner: Claim 7 recites "observablebehaviors" instead of the intended "observable behaviors." The Applicant has amended claim 7 in accordance with the Examiner's suggestion and submits the amendment overcomes the objection.

Claim Rejections Under 35 USC §103

Claims 1, 9 and 17 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Michaels, Edward, Work Measurement (1989) (hereinafter "Michaels"). Claims 2 and 10 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Michaels in view of U.S. Patent Publication 2005/0043976 to Leehman (hereinafter "Leehman"). Claims 3, 4, 6, 11, 12, and 14 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Michaels as applied to claims 1, 9, and 17 and further in view of Kaplan et al., Linking the Balanced Scorecard to Strategy (1996) (hereinafter "Kaplan"). Claims 5 and 13 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Michael in view of Kaplan, and further in view of Leehman. Claims 7 and 15 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Michaels in view of Denton, Keith D., Work Sampling: Increasing Service and White Collar Productivity (1987) (hereinafter "Denton"). Claims 8 and 16 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Michaels in view of Wilde, Edwin, A Performance Control System (1993) (hereinafter "Wilde"). The Applicant traverses the outstanding rejections under 35 U.S.C. 103.

Independent claims 1, 9, and 17 have been amended to better clarify that which the Applicant regards as the invention. Amended claims 1, 9, and 17 now recite, *inter alia*, "wherein

generating a roadmap includes ranking individuals based upon observable behaviors conducted as an initial screening to identify training requirements and, wherein further, training the individuals includes linking a corresponding training program with the individuals in response to the initial screening.” No new matter has been entered by this amendment. Support may be found, e.g., in paragraph [0041]. These features are not taught by Michaels, Leehman, Kaplan, Denton, or Wilde, either alone or in combination. The Examiner states on page 4 of the Office Action that Michaels teaches a roadmap for resolving issues (citing steps 4-6, page 59; last two bullets, page 62, in support). Additionally, the Examiner states that Michaels teaches training individuals affected by the roadmap (citing paragraph 5, page 62; bullets 1-2, page 63, in support). The Applicant respectfully disagrees. These portions of Michaels simply teach providing performance feedback and following up “by announcing results of the program, such as productivity improvements and revisions in operation procedures.” Rather than teaching or suggesting a training program, Michaels merely discloses providing feedback to employees in response to a program, which is clearly not synonymous with providing training based upon a roadmap. For example, announcing *productivity improvements* clearly infers informing individuals how well or how poorly they are performing (e.g., informing someone he/she is doing poorly would not necessarily shed light on how to properly perform a task).

Moreover, with respect to the amendments to claims 1, 9, and 17, none of Michaels, Leehman, Kaplan, Denton, and Wilde, alone or in combination, teaches or suggests ranking individuals based upon observable behaviors conducted as an initial screening to identify training requirements and also training the individuals by linking a corresponding training program with the individuals in response to the initial screening.

Leehman discloses a process for improving business performance (Abstract) by documenting business processes in a process map to list, categorize, and interrelate processes between each other and with associated performance criteria (paragraph [0018]). The process map serves as a tool for cost and performance related analysis (paragraph [0018]). Once current processes are documented, they are compared to similar processes in an established best practice database to determine which process will be most cost effective while meeting performance criteria (paragraph [0023]). Thus, Leehman is concerned with improving business performance

by performing cost/benefit analyses of current documented processes versus those stored in a best practices database. Leehman is entirely devoid of teaching or suggesting any type of employee ranking and training, as recited in claims 1, 9, and 17.

Kaplan is directed to linking a balanced scorecard (i.e., a model for motivating and measuring business unit performance) with a strategy (page 53, paragraph 1). Kaplan provides a general reference to employee training (page 64, paragraph 1); however, the reference fails to specify any particular training process or employee ranking, as recited in claims 1, 9, and 17.

Denton is directed to increasing service and productivity using work sampling (page 36). There is no mention in Denton of any type of training or employee ranking, as recited in claims 1, 9, and 17.

Wilde is directed to managing productivity in a manufacturing environment. Page 226 of Wilde generally discloses monitoring employee production (output) and generating performance control reports to determine employee performance during a given period. However, Wilde is entirely devoid of teaching or suggesting the training features recited in the Applicant's claims 1, 9, and 17.

For at least these reasons, the Applicant submits that claims 1, 9, and 17 are patentable over the cited references and are in condition for allowance. Claims 2-8, 10-16, and new claims 18-20 depend from what should be allowable base claims, respectively. For at least this reason, the Applicant submits that claims 2-8, 10-16, and 18-20 are in condition for allowance.

The features recited in claims 6 and 14 prior to this amendment have been incorporated into claims 5 and 13. Thus, no new matter has been entered via the amendments to claims 5 and 13. In addition, claims 6 and 14 have been amended to clarify the training processes of the Applicant's invention. Claims 6 and 14 now recite, *inter alia*, "wherein training the individuals further includes:

evaluating the individuals to determine current skill levels and skills flexibility, the skills flexibility identifying relative strengths and weaknesses within a team of individuals from a training standpoint; and

conducting a pre-training assessment to calibrate the skills of the individuals prior to training, and conducting a post-training assessment to measure the skills retained by the individuals after conducting the training;

wherein the pre-training assessment and the post-training assessment assess skills training needs for three skill areas, including:

basic skills that define basic foundational elements needed to perform a job;

fundamental skills that define an advanced set of skills desirable for optimally performing a job; and

advanced skill areas that define unique or special skills required to perform a job.”

As indicated above with respect to claims 1 and 9, from which claims 6 and 14 depend, none of the references teaches or suggests the training features recited therein. Thus, it logically follows that each of the references fails to teach or suggest the more detailed training features recited in amended claims 6 and 14.

New claims 18-20 recite features substantially similar to those recited in claims 3-6 and 11-14. Thus, no new matter has been entered by new claims 18-20.

As the cited references, either alone or in combination, fail to teach, suggest, or render obvious the Applicant's claims 1-20, the Applicant submits that claims 1-20 are in condition for allowance and respectfully requests reconsideration and withdrawal of the outstanding rejections.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to the Applicant. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the Applicant deems to be the invention, it is respectfully requested that claims 1-20 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,
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